

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

CHARLES HERBERT MCNEIL, JR.,  
TDCJ 405019,

Plaintiff,

*versus*FI-R PUBLISHING COMPANY, *ET AL.*,

Defendants.

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CIVIL ACTION H-08-1295

### Opinion on Dismissal

Charles McNeil submitted papers to the court. Construed as a complaint, McNeil sues Derek Hurla, the FI-R Publishing Company, and the Echo Magazine for civil rights violations. 42 U.S.C. § 1983. McNeil is in prison and moves to proceed as a pauper. 28 U.S.C. § 1915.

McNeil's claims follow. The FI-R Publishing Company falsified federal documents, obstructed justice, and made false statements by "publishing media" which enslaved federal and state black prisoners through sham, coercion, and entrapment. McNeil seeks "100 zillion 5 million" dollars in damages from Derek Hurla and the FI-R Publishing Company.

Hurla, FI-R, and the Echo Magazine fooled McNeil and prison guard Montgomery into thinking that the House Ways and Means Committee of the Texas Legislature, the Texas Attorney General, and President Bush were going to pass many bills that would allow McNeil and Montgomery to do away with the prison system on September 1, 2008. However, this information, published by Hurla and Echo Magazine, was a lie. Hurla and the Echo later published that the Legislature had vetoed the bills and that they were against White Supremacy. This caused Denny Martin, Reggie Slaughter, and Troy Lewis to worship Satan and become filled with evil spirits. This also caused all African-Americans to do "slavery time" in concrete tombs, human tombs, and human sardine cans. Also, as a result of defendants' actions, African-Americans killed and blasphemed each other.

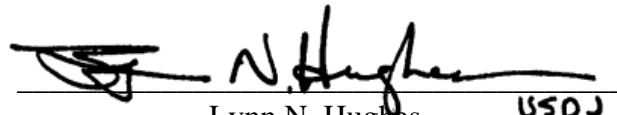
McNeil's allegations are fantastic and delusional. His claims are not recognized at law and have no arguable basis in fact. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (allegations that are fantastic or delusional lack an arguable basis in fact). This complaint is subject to dismissal under

the pauper's statute.

This case will be dismissed. 28 U.S.C. § 1915(e)(2)(B). The Texas Department of Criminal Justice will deduct 20% of each deposit made to McNeil's inmate trust account and pay this to the court regularly, when the account exceeds \$10, until he pays the \$350 filing fee. McNeil's motion to proceed as a pauper (2) is granted.

The Clerk will send a copy to the TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas, 78711, Fax: 512-936-2159; to the Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, Fax: 936-437-4793 by facsimile transmission, regular mail, or e-mail; and to the District Clerk for the Eastern District of Texas, 211 West Ferguson, Tyler, Texas 75702, Attention: Three-Strikes List, by regular mail or e-mail.

Signed May 22, 2008, at Houston, Texas.

  
Lynn N. Hughes  
United States District Judge